



**John Du Wors**  
Direct +206.274.2834  
Main +206.274.2800  
john@newmanlaw.com

2101 Fourth Avenue, Suite 1500  
Seattle, WA 98121

**SENT BY ECF**

August 19, 2022

The Honorable Lorna G. Schofield  
U.S. District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

**Re: *Zeta Global Corp. v. Maropost Marketing Cloud, Inc.*  
Southern District of New York Case No.: 20 Civ. 3951**

Dear Judge Schofield,

We represent Plaintiff Zeta Global Corp. in the above referenced matter. Pursuant to Your Honor's Individual Practices, Zeta seeks an order permitting Zeta to file under seal copy of Plaintiff's Second Supplemental Patent Disclosures of Asserted Claims and Infringement Contentions, dated August 19, 2022, as Exhibit 1 to the Declaration of Jae Young Bang in Opposition to Defendant's Motion to Have This Case Declared Exceptional and for Permission to Apply for Attorney's Fees.

The exhibit contains excerpts from Maropost's source code that Maropost has designated as attorney's eyes only under the Court's protective order.

Respectfully submitted,

NEWMAN DU WORS LLP

/s/ John Du Wors  
John Du Wors  
Counsel for Plaintiff  
Zeta Global Corp.

cc: Elizabeth J. Sher (by ECF)

If Maropost seeks to maintain Exhibit 1 to the Declaration of Jae Young Bang at Dkt. No. 150-1 under seal, Maropost shall file a letter stating the grounds for that request by **January 6, 2023**.

Maropost's letter should address the standard in *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119–20 (2d Cir. 2006), which does not depend on how the information was designated under the protective order. The letter shall also address the extent to which any purportedly confidential business information has become stale, if at all. If no letter is filed, the document may be made public.

So Ordered.

Dated: January 3, 2023  
New York, New York

A handwritten signature in black ink, appearing to read "Lorna G. Schofield".

LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE